

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SHAWN DRUMGOLD,)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO. 04-11193-NG
)	
TIMOTHY CALLAHAN, et. al.,)	
Defendants)	
_____)	

DEFENDANTS THE CITY OF BOSTON AND FRANCIS M. ROACHE'S
MOTION TO STRIKE PLAINTIFF'S EXHIBITS AND CONCISE
STATEMENT OF DISPUTED MATERIAL ISSUES OF FACT

NOW COME the Defendants, the City of Boston and Francis M. Roache, in the above-captioned matter and joins the Motion to Strike Plaintiff's Exhibits and Concise Statement of Material Facts filed separately by both Richard Walsh and Timothy Callahan, and further moves to strike Plaintiff's submission, as follows:

Plaintiff's Statement at ¶¶ 62 – 64, 66-68, 71-72, 75-80 and 83-84

relative to the City of Boston and Francis M. Roache.

As grounds therefore, the City of Boston and Francis M. Roache state that the recitation of "disputed material issues of fact" provided by the Plaintiff are distorted, and that the "inferences" he urges the Court to take are unsupported by competent record evidence.

Further support for this motion is provided in the accompanying Memorandum of Law.

Respectfully submitted,
**Defendants, The City of Boston
and Francis M. Roache**
By their attorneys,

/s/ John P. Roache
John P. Roache (BBO# 421680)
Patrick J. Donnelly (BBO# 651113)
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Dated: January 4, 2008

CERTIFICATE OF SERVICE

I, John P. Roache, hereby certify that on January 4, 2008, I served a copy of the above motion upon counsel of record by filing with the ECF/Pacer Case Management System.

/s/ John P. Roache
John P. Roache